

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

NOTICE OF DOCKETING

2007-1362 - MERCK V APOTEX

Date of docketing: 05/29/2007

Appeal from: United States District Court / District of Delaware
case no. 06-CV-230

Appellant(s): Apotex, Inc.

Critical dates include:

- Date of docketing. See Fed. Cir. R. 12.
- Entry of appearance. See Fed. Cir. R. 47.3.
- Certificate of interest. See Fed. Cir. R. 47.4.
- Docketing Statement. (*Due within 14 days of the date of docketing, or within 30 days if the United States or its officer or agency is a party in the appeal.*) See the en banc order dated September 18, 2006. [Counsel can download a copy of the order and guidelines at www.fedcir.gov.]
- Requests for extensions of time. See Fed. Cir. R. 26 and 27. **N.B. Delayed requests are not favored by the court.**
- Briefs. See Fed. Cir. R. 31. **N.B. You will not receive a separate briefing schedule from the Clerk's Office.**
- Settlement discussions. See Fed. Cir. R. 33.
- Oral argument schedule conflicts. See Practice Note following Fed. Cir. R. 34.

Pro se parties should refer to the Guide for Pro Se Petitioners and Appellants.

Attachments:

- Official caption to all.
- Docketing Statement. (Only in cases where all parties are represented by counsel.)
- Rules of Practice to pro se parties. [Counsel can download the rules from www.fedcir.gov or call 202.633.6550.]
- Entry of appearance form to all.
- Informal brief form to pro se parties.
- Transcript Purchase Order form to appellants.
- Motion and Affidavit for Leave to Proceed in Forma Pauperis form to appellants owing the docketing fee.

Jan Horbaly
Clerk

cc: US District Court, District of Delaware
A. Sidney Katz
John F. Lynch

FILED
CLERK U.S. DISTRICT COURT
DISTRICT OF DELAWARE
2007 MAY 31 PM 2:59

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

Official Caption¹

2007-1362

MERCK & CO., INC.,

Plaintiff-Appellee,

v.

APOTEX, INC.,

Defendant-Appellant.

Appeal from the United States District Court for the District of Delaware in
case no. 06-CV-230, Judge Gregory M. Sleet.

Authorized Abbreviated Caption²

MERCK v APOTEX, 2007-1362

¹ Required for use on petitions, formal briefs and appendices, court opinions, and dispositive court orders.
FRAP 12(a); 32(a).

² Authorized for use only on items not requiring the Official Caption as listed in note 1.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT
Appeal Information Sheet
United States District Court for the District of Delaware

Type of Case: PATENT INFRINGEMENT

Caption: Merck & Co. Inc. v. Apotex Inc.

2007-1362

Plaintiff(s): Merck & Co. Inc.

Defendant(s): Apotex Inc.

(List all parties. Use asterisk to indicate dismissed or withdrawn parties. Explain any discrepancy with caption used on judgment, order or opinion.)

Docket No. 06cv230 GMS

Date of Judgment/Order:

4/10/07

Cross/Related Appeal: NO

Date of Notice of Appeal: 5/10/07

Date of Notice of Appeal Docketed: 5/10/07

Appellant is: Apotex Inc.

Fees: Court of Appeals Docket Fee Paid? YES

U.S. Appeal? Yes

COUNSEL

(List name, firm, address and telephone number of lead counsel for each party. Indicate party represented.)

Mary B. Graham Morris, Nichols, Arsht & Tunnell LLP 1201 North Market Street P.O. Box 1347 Wilmington, DE 19899	Richard L. Horwitz Potter Anderson & Corroon, LLP 1313 N. Market St., Hercules Plaza, 6th Floor P.O. Box 951 Wilmington, DE 19899-0951
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FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

MAY 29 2007

JAN HORBALY
CLERK

IMPORTANT: Attach copy of opinion and/or order appealed from. Forward together with a certified copy of notice of appeal and certified copy docket entries.

By: /s/ Elizabeth Strickler

Deputy Clerk

Date: May 15, 2007